



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/685,131	10/10/2000	Brandon Mitchell Burrell	42626/204671	4846

826 7590 10/21/2004

ALSTON & BIRD LLP  
BANK OF AMERICA PLAZA  
101 SOUTH TRYON STREET, SUITE 4000  
CHARLOTTE, NC 28280-4000

EXAMINER

LEZAK, ARRIENNE M

ART UNIT	PAPER NUMBER
----------	--------------

2143

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/685,131	BURRELL, BRANDON MITCHELL	
	<b>Examiner</b>	<b>Art Unit</b>	
	Arrienne M. Lezak	2143	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-75 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-75 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

### DETAILED ACTION

1. Examiner notes that Claims 1, 22 & 43 have been amended, Claims 64-75 have been added and no claims have been cancelled. Claims not explicitly addressed herein are found to be addressed within prior Office Action dated 8 January 2004 as reiterated herein below.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,065,041 to Lum in view of US Patent 6,141,666 to Tobin.

4. Regarding Amended Claims 1, 22 & 43 and New Claim 64, Lum discloses a system, method and computer program product, (with obvious BIOS POST information – per New Claim 64) for redirecting to a remote display terminal information output by a computer program directed to a first display terminal such that the information can also be displayed at the remote display terminal, (Abstract), comprising:

- a display management module stored on a computer-readable medium in communication with an output of the computer program and the remote display terminal for displaying data output from the computer program

directed to the first display terminal to the remote display terminal, (Col. 2, lines 14-46);

- data modules stored on a computer-readable medium containing text data and graphical data representations used by the computer program to display information on a display terminal, (Col. 19, lines 63-67 and Col. 20, lines 1-47);
- an output redirection handler stored on a computer-readable medium in communication with said display management module, (Col. 3, lines 12-47);
- a data communication link connected between said output redirection handler and the remote display terminal, (Fig. 2);
- wherein the display management module receives commands to display data from the computer program, and wherein said display management module, based on the commands from the computer program, provides commands and data from said data modules to said output redirection handler, (Col. 7, lines 40-63), and wherein said output redirection handler receives the information from said display management module and provides the information to the remote display terminal for display, (Col. 2, lines 31-47).

5. Though Lum discloses the use of “key-tag sequences” for screen information, which Examiner finds to be functionally and obviously equivalent to Applicant’s use of “tokens”, Examiner additionally includes Tobin for purposes of clarification. Tobin

specifically discloses the use of a tokening system for purposes of representing text and graphical data, (Fig. 31; Col. 3, lines 23-44; Col. 10, lines 28-48; Col. 11, lines 50-67; Col. 12, lines 1-7; Col. 13, lines 50-67; Col. 14, lines 1-19; and Claims 1-42). To incorporate the Tobin "token" functionality into the Lum interface code architecture would have been obvious to one of ordinary skill in the art at the time of invention by Applicant. The motivation to combine would be the need for a display interface system which allows a developer to create a single set of screen descriptions that is used for all supported display types, (Lum – Col. 2, lines 4-8), which customized descriptions would enhance existing familiarity within the Internet marketplace, (Tobin – Col. 2, lines 50-55). Thus, Amended Claims 1, 22 and 43 and New Claim 64 are found to be unpatentable over the combined teachings of Lum in view of Tobin.

6. Regarding Claims 2, 3, 23, 24, 44, 45, 65 and 66, Lum in view of Tobin is relied upon for those teachings incorporated herein. Lum further discloses a system, method and computer program product comprising a remote display handler stored on a computer-readable medium in communication with the data communication link and the remote display terminal, (per pending Claim 2), (Fig. 2 and Col. 3, lines 44-47), wherein said display management module provides data and commands based on a predetermined set of commands, and wherein said output redirection handler communicates with said display management module using the predetermined set of commands and provides the commands and data to the remote display handler for display on the remote display terminal, (per pending Claims 3, 23, 24, 44 and 45), (Col.

3, lines 13-47 and Col. 7, lines 47-62). Thus, Claims 2, 3, 23, 24, 44, 45, 65 and 66 are found to be unpatentable over the combined teachings of Lum in view of Tobin.

7. Regarding Claims 4, 25 and 46, Lum in view of Tobin is relied upon for those teachings incorporated herein. Lum further discloses a system, method and computer program product wherein said data communication link is a data communication link selected from the group consisting of parallel, serial and network, and wherein said output redirection handler receives commands and data from said display management module and formats the commands and data for transmission across said data communication link, (Col. 17, lines 19-38; Col. 18, lines 58-67; and Col. 19, lines 1-22). Thus, Claims 4, 25 and 46 are found to be unpatentable over the combined teachings of Lum in view of Tobin.

8. Regarding Claims 5, 26 and 47, Lum in view of Tobin is relied upon for those teachings incorporated herein. Lum further discloses a system, method and computer program product wherein said remote display handler receives commands and data from said output redirection handler and controls the remote display terminal to display the data, (Fig. 2; Col. 2, lines 42-46; and Col. 3, lines 13-47). Thus, Claims 5, 26 and 47 are found to be unpatentable over the combined teachings of Lum in view of Tobin.

9. Regarding Claims 6, 27, 48 and 67, Lum in view of Tobin is relied upon for those teachings incorporated herein. Lum further discloses a system, method and computer program product wherein said remote display handler stores a current attribute value representing a color attribute of the characters being displayed on the remote display terminal such that subsequent commands to display data on the remote display terminal

that do not alter the attribute do not require transmittal of the attribute variable, (Col. 4, lines 26-36; Col. 5, lines 30-39; Col. 8, lines 63-67; and Col. 9, lines 1-37). Thus, Claims 6, 27, 48 and 67 are found to be unpatentable over the combined teachings of Lum in view of Tobin.

10. Regarding Claims 7, 28, 49 and 68, Lum in view of Tobin is relied upon for those teachings incorporated herein. Lum further discloses a system, method and computer program product wherein said remote display handler stores a value representing the current position of a cursor on the remote display terminal such that subsequent commands to display data on the remote display terminal do not require data concerning cursor position, (Col. 4, lines 26-36; Col. 5, lines 30-39; Col. 8, lines 63-67; and Col. 9, lines 1-37). Thus, Claims 7, 28, 49 and 68 are found to be unpatentable over the combined teachings of Lum in view of Tobin.

11. Regarding Claims 8, 29, 50 and 69, Lum in view of Tobin is relied upon for those teachings incorporated herein. Lum further discloses a system, method and computer program product wherein at least one data module is a language data module including data strings representing language data, (Col. 20, lines 26-42), wherein each data string is stored in said data modules and designated by a token, (Col. 8, lines 44-61), and wherein to display a data string, said display management module receives a token associated with the data string from the computer program and a command to display the data string and based on the token accesses said language data module, retrieves the data string associated with the token, and outputs the data string and a command to display the data string to said output redirection handler, (Col. 7, lines 46-63). Thus,

Claims 8, 29, 50 and 69 are found to be unpatentable over the combined teachings of Lum in view of Tobin.

12. Regarding Claims 9, 30, 51 and 70, Lum in view of Tobin is relied upon for those teachings incorporated herein. Lum further discloses a system, method and computer program product comprising a plurality of language data modules associated with said display management module, wherein each language data module includes data strings representing language data in a selected language, (Col. 20, lines 26-42 and Col. 8, lines 44-61); and a main language module header stored on a computer-readable medium and associated with said display management module comprising individual pointers indicating the location in a computer-readable storage medium in which each language data module is located, (Col. 7, lines 46-67 and Col. 8, lines 1-62), wherein to display a data string in a selected language, said display management module receives a token associated with the data string, wherein said display management module accesses said main language module header and retrieves the pointer associated with the language data module corresponding to a pre-selected desired language for displaying the data string, and wherein said display management module using the pointer, accesses the language data module, retrieves the data string associated with the token, and outputs the data string in the desired language and a command to display the data string to said output redirection handler, (Col. 7, lines 46-67 and Col. 8, lines 1-62). Thus, Claims 9, 30, 51 and 70 are found to be unpatentable over the combined teachings of Lum in view of Tobin.



13. Regarding Claims 16, 37 and 58, Lum in view of Tobin is relied upon for those teachings incorporated herein. Lum further discloses a system, method and computer program product wherein to display a data string, said display management module receives a token associated with the data string and a command to display the data string from the computer program and accesses the location in the string data area where the data string is located and sequentially outputs the characters of the data string along with a command to display the data string to said output redirection handler, (Col. 7, lines 46-67 and Col. 8, lines 1-62). Thus, Claims 16, 37 and 58 are found to be unpatentable over the combined teachings of Lum in view of Tobin.

14. Regarding Claims 10, 11, 17, 31, 32, 38, 52, 53, 59 and 71, Lum in view of Tobin is relied upon for those teachings incorporated herein. Lum further discloses the incorporation of language key parameter which outputs, locally and remotely, a localized string to the screen, (Col. 7, lines 46-47), a language module, (Col. 20, lines 26-33), and a module for configuring the generic screen descriptions to match the selected language type, (Col. 20, lines 26-33), which presumably inherently includes matching font types. Lum further teaches Variable Content which allows for client choice concerning layout and attributes, including, but not limited to font, (Col. 5, lines 30-39).

15. Lum does not specifically disclose the use of 256 standard ASCII and extended ASCII characters, (per pending Claims 10, 17, 31, 38, 52, 59 and 71), or double byte characters, (per pending Claims 11, 32 and 53). It would have been obvious to one of ordinary skill in the art at the time of invention by Applicant to implement multi-byte

character sets, (MBCS), and Unicode in addition to a default implementation of ASCII for localization of the display manager as disclosed within Lum, (as noted herein above). Thus, Claims 10, 11, 17, 31, 32, 38, 52, 53, 59 and 71 are found to be unpatentable over the combined teachings of Lum in view of Tobin.

16. Regarding Claims 12-15, 33-36 and 54-57, Lum in view of Tobin is relied upon for those teachings incorporated herein. Lum further discloses the use of a key associated with each text string. Said keys are manipulated, stored and retrieved as needed, (Col. 8, lines 44-60).

17. Lum does not specifically disclose the storage, (in the string data area), of standard and extended ASCII characters having ASCII codes less than a selected escape code, and the encoding and storage, (in the string data area), of standard and extended ASCII characters having codes greater than or equal to the escape code or ASCII characters identifying double-byte characters, (per pending Claims 12, 33 and 45), or ASCII characters identifying the start of a 16 bit double byte character, (per pending Claims 13, 34 and 55).

18. Lum also does not specifically disclose the sequential encoding and storage of 16 bit values representing double byte characters, wherein font data associated with the double byte characters is stored in double byte character font data area, and wherein at least one extended ASCII character is encoded in said string data area with an escape code preceding the ASCII representation of the extended ASCII character, and wherein if the extended ASCII character is not displayable with extended ASCII character font

data stored in said font module, data for the extended ASCII character is stored in said extended ASCII font data area, (per pending Claims 14, 35 and 56).

19. Lum also does not specifically disclose a system wherein the double byte characters are sequentially encoded such that the first double byte character is represented by a two-byte code having a first byte that is one value greater than the escape code and a second byte equal to zero, and wherein remaining unique double byte characters are encoded with sequential 16 bit code values, (per pending Claims 15, 36 ad 57).

20. It would have been obvious to one of ordinary skill in the art at the time of invention by Applicant to implement multi-byte character sets, (MBCS), and Unicode in addition to a default implementation of ASCII for localization of the display manager as disclosed within Lum, (as noted herein above). Further, as Lum discloses the manipulation, storage and retrieval of keys, (representing text strings), identifying all data and screens, (Col. 8, lines 44-62), it would be obvious to incorporate a system, in which said multitude of characters are sequentially encoded and stored, so as to better organize the vast amount of information needed. Thus, Claims 12-15, 33-36 and 54-57 are found to be unpatentable over the combined teachings of Lum in view of Tobin.

21. Regarding Claims 18-21, 39-42, 60-63 and 72-75, Lum in view of Tobin is relied upon for those teachings incorporated herein. Lum further discloses the use of modules to store information, as noted herein above. Lum further indicates that such modules encompass Variable Content, making it possible for the client to determine screen attributes and layout, (Col. 5, lines 30-39). Lum further teaches arbitrary customization,

which includes, but is not limited to the ability to redirect output to more than one destination, (Col. 7, lines 46-62).

22. For display purposes, Lum does not specifically teach the use of a logo module, (per pending Claims 18, 39, 60 and 72), a progress bar, (per pending Claims 19, 40, 61 and 73), a defined boxed area, (per pending Claims 20, 41, 62 and 74), or a scroll capability solely within the defined box area, (per pending Claims 21, 42, 63 and 75).

23. It would have been obvious to one of ordinary skill in the art at the time of invention by Applicant to provide the user with such basic layout options as logos, progress bars, and defined boxed areas containing scrolling information. Further, the use of Variable Content within Lum, (Col. 5, lines 30-39), obviously encompasses all layout and attribute options available, including those specifically enumerated by Applicant. Thus, Claims 18-21, 39-42, 60-63 and 72-75 are found to be unpatentable over the combined teachings of Lum in view of Tobin.

### ***Response to Arguments***

24. Applicant's arguments filed 14 June 2004, have been fully considered but they are not persuasive. Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how reconsideration avoids such references or objections.

25. Regarding Applicant's argument that Lum discloses a "directing" functionality but not a "re-directing" functionality or "remote viewing means", Examiner respectfully disagrees and refers Applicant to Lum, (Abstract; Col. 2, lines 42-46; and particularly Col. 7, lines 55-63). Specifically, Lum discloses that an application has the capability of sending a redirection request, and the invention of Lum has the means of servicing a redirection request. Applications built on top of Lum use the Console Application Programming Interface (CAPI). Using a client profile, (Col. 9, lines 53-58), CAPI is able to determine conditions on a screen to be displayed and will modify the data displayed accordingly. This reads on a redirection.

26. Regarding Applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "tokens representing graphical and textual data"), Lum in view of Tobin renders Applicant's amended claims unpatentable. Further, Examiner notes that Tobin renders all display information obvious, including, but not limited to, color and cursor position. Moreover, Examiner notes that client storage of repeated transmissions, (such as keys/tokens), is well known in the art as caching, which caching optimization obviously minimizes redundant transmissions. This argument is elaborated in greater detail above.

27. Regarding Applicant's argument that Lum stores and sends multiple versions of web pages, Examiner notes that Lum teaches "coalescing" portions of stored web pages through key-sequences, which key-sequences, as noted above, are similar to Applicant's "tokens" as they provide a reference means for portions of data, (Fig. 7; Col.

4, lines 25-67; and Col. 5, lines 1-19), and as such, minimize the amount of data being transmitted. Additionally, as noted above, Lum in view of Tobin encompasses Applicant's limitations in their entirety.

28. Thus, as Examiner has completely addressed Applicant's amendment, and finding Applicant's arguments do not show how reconsideration avoids such references or objections, Examiner hereby rejects all claims in their entirety, as noted herein above.

29. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

30. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arrienne M. Lezak whose telephone number is (703)-305-0717. The examiner can normally be reached on M-F 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (703)-308-5221. The fax phone number for the organization where this application or proceeding is assigned is (703)-305-3718.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-6121.

Arrienne M. Lezak  
Examiner  
Art Unit 2143

AML

William C. Vaughn, Jr.  
Primary Examiner  
Art Unit 2143  
William C. Vaughn, Jr.